

REGULAR MEETING OF THE PEABODY CITY COUNCIL
SEPTEMBER 27, 2018

PRESENT COUNCILLORS: MCGINN, GOULD, SASLAW, MOUTSOULAS, MANNING-MARTIN, ROSSIGNOLL, TURCO, MELVILLE, GRAVEL, AND CHAREST

ABSENT COUNCILLORS: O'NEILL

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President Edward R. Charest.

Salute to the American Flag.

P675-18 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of September 13, 2018. (Unanimous)

COUNCILLOR CHAREST – OPEN MEETING LAW STATEMENT: THIS MEETING IS BEING TELEVISED LIVE ON CABLE CHANNEL 9 AND BEING TAPED BY PEABODY ACCESS TV, AND ALSO BEING RECORDED BY OUR CITY COUNCIL STENOGRAPHER.

(MAYOR BETTENCOURT, STATE REPRESENTATIVE THOMAS WALSH AND STATE SENATOR JOAN LOVELY PRESENTED MR. STEVE KALIVAS WITH COMMENDATIONS FOR HIS MANY YEARS OF SERVICE TO THE CITY OF PEABODY.)

HEARINGS

A public hearing was duly held on the application submitted by CenterCorp Retail Properties, Inc., 600 Loring Avenue, Salem, MA. Atty. John Keilty, Mr. Andrew Rose, and Mr. David Mackwell appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P676-18 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, late communication Item 1 from Atty. John Keilty on behalf of CenterCorp Retail Properties, Inc., 250 Andover Street, regarding Revised plan. (Unanimous)

P677-18 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that the application from CenterCorp Retail Properties, Inc., 600 Loring Avenue, Salem, MA, for a Special Permit seeking to develop a drive-through window at 250 Andover Street, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason and subject to the following conditions:

Reason: The City Council has determined that the application as submitted and approved meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically 6.1.2 which satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody.

CONDITIONS:

1. An approval from Conservation Commission must be obtained prior to the issuance of a building permit; and
2. Any change in tenant will require Special Permit approval by the City Council.

(Carried 10-0; Councilor O'Neill absent)

A public hearing was duly held on the application submitted by Gary A. Nadeau, 69 North Shore Road, New Durham, MA. Atty. John Keilty and Mr. Gary Nadeau appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P678-18 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 2 from Atty. John Keilty on behalf of Gary A. Nadeau, 167 Washington Street, regarding Revised plan. (Unanimous)

P679-18 COUNCILLOR MCGINN - MOVE TO recess the public hearing on the application from Gary A. Nadeau, 167 Washington Street, Peabody, MA, until the regular meeting of Thursday, October 11, 2018, and to request that the Police Department submit a departmental response to the City Council by Thursday, October 4, 2018. (Carried 10-0; Councillor O'Neill absent)

P680-18 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 8-F communication from Francisco Burgos, 25 Farm Avenue, regarding Request to continue public hearing until October 25, 2018. (Unanimous)

REPORTS OF COMMITTEE

INDUSTRIAL & COMMUNITY DEVELOPMENT COMMITTEE SEPTEMBER 27, 2018

P681-18 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – There was a meeting of the Industrial & Community Development Committee this evening and in attendance was myself as chair, Councillor Melville, Councillor McGinn, Councillor Rossignoll, and Councillor Turco. Also in attendance was Councillor Charest, Councillor Gravel, and Councillor Manning-Martin. We had a very informative meeting tonight put on by Mr. Callahan and Ms. Baker from the consultant company Horsley Witten in regard to the MVP Stakeholder Workshop summary. MVP stands for Municipal Vulnerability Program. It was very enlightening. It talked about our work with areas of the city for our vulnerability towards flooding in particular. I was very impressed with the work that we have done through the Community Development group and the planning group and there's a lot of good things in the pipeline that we will continue to work on. (Report received)

FINANCE COMMITTEE SEPTEMBER 27, 2018

P682-18 COUNCILLOR GRAVEL – Reporting for the Finance Committee – This evening there was a meeting held of the Finance Committee. Attending on behalf of the Finance Committee was myself, Councillor Gould, Councillor Manning, Councillor McGinn, Councillor Turco. Also in attendance were Councillor Charest, Councillor Moutsoulas, Councillor Melville, and Councillor Rossignoll. There were two items on the agenda. The first one was a lease agreement for a 2019 KME custom pumper for the Fire Department. The pumper with an additional camera was requested to be put on a lease for a total of \$685,000. The purpose of putting it on a lease was that we would be able to get the much-needed pumper to replace the much-degenerated old pumper quicker. The request was to put it on a seven-year lease and to put it for \$685,000 and to provide a buyout provision, if possible, on the lease so that if we want to buy out the lease we can, but at the end of the term it will be ours for a dollar. After discussing and understanding it further, the following motion was made. (Report received)

P683-18 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO authorize His Honor the Mayor to enter into a lease agreement for a 2019 KME Custom Pumper for greater than three years in the amount of \$685,000 and to request that they negotiate a buyout provision, if possible. (Carried 10-0; Councillor O'Neill absent)

P684-18 COUNCILLOR GRAVEL – Reporting for the Finance Committee – The second item on the agenda was a delightful presentation by our City Clerk Tim Spanos regarding the status of pay for our election workers. Having done a comprehensive study of the area and noting that there is a requirement to keep up with getting people to staff the polls, he requested that we change the rate of pay and add one position to the election staff and so the following motion was made. (Report received)

P685-18 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO recommend approval of the following ordinance:

SECTION ONE: The Code of the City of Peabody adopted on January 9, 1986, and amended, is hereby further amended as follows:

By deleting the following:

Section 18-20 Schedule of Compensation for Part-Time Positions:

16.c Clerk	\$140.00	daily
16.g Deputy Clerk	\$125.00	
16.h Deputy Warden	\$125.00	
16.i Inspector-Precinct	\$110.00	
16.m Warden	\$140.00	
16.l Tab Clerk Precinct	\$65.00	
16.k Tab Clerk City Wide	\$100.00	

And inserting in place thereof the following:

16.c Clerk	\$170.00	daily
16.g Deputy Clerk	\$150.00	
16.h Deputy Warden	\$150.00	
16.i Inspector-Precinct	\$125.00	
16.m Warden	\$170.00	
16.l Tab Clerk Precinct	\$75.00	
16.k Tab Clerk City Wide	\$150.00	
16 Precinct Assistant	\$160.00	

SECTION TWO: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE: This ordinance shall take effect as provided by law.
(Carried 10-0; Councillor O'Neill absent)

MOTIONS, ORDERS AND RESOLUTIONS

P686-18 COUNCILLOR MCGINN – MOVE TO receive and approve, under suspension of the rules, Item 8-G communication from Timothy E. Spanos, City Clerk, regarding Election Warrant for November 6, 2018. (Unanimous)

P687-18 COUNCILLOR GOULD (Co-motion with Councillor Moutsoulas) – MOVE TO request that the Park, Recreation & Forestry Department trim the overgrown trees at the corner of Roycroft Road and Margin Street so that the traffic light can be viewed for vehicles heading westbound. (Unanimous)

P688-18 COUNCILLOR GOULD – MOVE TO request that the Engineering Department work with TEC Engineering to look at the possibility of replacing the natural gas pipelines down Central Street from Main Street to Wilson Square, in light of what's happened to our neighbors north of us. (Unanimous)

P689-18 COUNCILLOR GOULD (Co-motion with Councillor Moutsoulas) – MOVE TO request that the Public Services Department clean out the storm drain at 17 Margin Street. (Unanimous)

P690-18 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-C communication from Colton Buckley Foundation regarding Fifth Annual Colton Buckley 5K Road Race; November 11, 2018. (Unanimous)

P691-18 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-E communication from Edward Elibero, 902 Foxwood Circle, regarding Dogs in Oak Grove Cemetery and refer to the Cemetery Commission and Police Department to consider an increase in signage and larger signage stating that all owners must leash their dogs and pick up after them. (Unanimous)

P692-18 COUNCILLOR SASLAW – MOVE TO request that the Public Services Department replace the "Stop" sign at the corner of Rita Road and Goodale Street. (Unanimous)

P693-18 COUNCILLOR SASLAW – MOVE TO request that the Public Services Department move the "Stop" sign at the corner Rita Road and Crane Avenue from the street sign to the telephone pole located directly next to the sign, as the sign cannot be seen and people are running the "Stop" sign. (Unanimous)

P694-18 COUNCILLOR SASLAW – MOVE TO refer to the Municipal Safety Committee the possibility of adding a flashing light immediately before the dangerous curve located at Goodale Street and Connors Road. (Unanimous)

P695-18 COUNCILLOR MOUTSOULAS (Co-motion with Councillor Gould) – MOVE TO request that the Public Service Department repair the sidewalks at 7, 9, and 11 Driscoll Street. (Unanimous)

P696-18 COUNCILLOR MOUTSOULAS (Co-motion with Councillor Gould) – MOVE TO request that the Public Services Department repair the curbing along 15 Driscoll Street. (Unanimous)

P697-18 COUNCILLOR MOUTSOULAS – MOVE TO request that the Public Services Department clear the brush at the entrance to the cemetery along Sheffield Drive and install "Coyote Sightings" signage at the entrance of the cemetery and along Sheffield Drive and to refer to the Health Department and Police Department. (Unanimous)

P698-18 COUNCILLOR MANNING-MARTIN – MOVE TO send a communication to department heads receiving requests for "departmental responses" reminding them of the importance of a response to these requests, whether they have an objection or do not have an objection, and to further request those responses be submitted to the City Council by the date indicated on the request for information. (Unanimous)

P699-18 COUNCILLOR ROSSIGNOLL – MOVE TO receive and approve, under suspension of the rules, late communication Item 3 Block Party Request – 5-8 Glen Drive, October 21, 2018, subject to all papers being in order. (Unanimous)

P700-18 COUNCILLOR TURCO – MOVE TO request that the Park, Recreation & Forestry Department trim the trees on Lynnfield Street before the winter, as many of the limbs are well overhanging Lynnfield Street. (Unanimous)

P701-18 COUNCILLOR TURCO – MOVE TO request that the Public Services Department replace all the missing asphalt berms on Will Sawyer Road as soon as possible. (Unanimous)

P702-18 COUNCILLOR TURCO – MOVE TO request that Director of Public Services Robert Labossiere appear before the City Council to speak about his first 90 days with the City regarding issues and things that he's seen within the City and to also discuss his plan for the winter plowing season. Further request that David Gamache with the Facilities Department and the School Committee appear to discuss snow removal on sidewalks near schools. (Unanimous)

P703-18 COUNCILLOR TURCO – MOVE TO refer to the Public Services Committee the issue of block parties and whether the rules can be changed so that applicants could pick up their own barrels/cones at the Public Services facility. (Unanimous)

(Councillor Turco: On Thursday, October 4 at 7:00 p.m. at City Hall lower conference room the Planning Board will be discussing the Stonegate subdivision, specifically the traffic study and the excavation impact report that were submitted, if anybody is interested in attending.)

P704-18 COUNCILLOR MELVILLE – MOVE TO request that the Community Development Department provide the City Council with an update on the time line regarding the sale of the Crowninshield property. (Unanimous)

P705-18 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Transfer of funds – CPC Administration; \$10,000.00 and to refer to the Finance Committee. (Unanimous)

P706-18 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Transfer of funds – CPC Various Transfers and to refer to the Finance Committee. (Unanimous)

P707-18 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding Transfer of funds – CPC Various Projects and to refer to the Finance Committee. (Unanimous)

P708-18 COUNCILLOR GRAVEL – MOVE TO schedule a meeting of the Ad Hoc Committee on Charter Review and request that the City Clerk use any form of public advertisement at our disposal to seek out volunteers for the Charter Review Committee and I would also encourage all City Council members to submit names for volunteers as well because we have to select, I believe, three members. (Unanimous)

P709-18 COUNCILLOR CHAREST – MOVE TO request that the Police Department provide input on whether the City is allowed to have DPW paint lanes at the entrance to Centennial Park, if you're coming from Summit Street taking a right or a left into the entrance to Centennial Park. (Unanimous)

P710-18 COUNCILLOR CHAREST – MOVE TO request that the Human Resources Director Beth O'Donnell provide the City Council with input on the process of hiring a City Clerk in the next few months. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P711-18 COUNCILLOR MCGINN – MOVE TO receive a communication from Jennifer Davis, Dir., Park Dept., regarding Council Motions: P598-18, P600-18. (Unanimous)

P712-18 COUNCILLOR MCGINN – MOVE TO receive a communication from Barbara Previte, Peabody Municipal Light Plant, regarding Streetlight at 5 Dartmouth Road. (Unanimous)

P713-18 COUNCILLOR MCGINN – MOVE TO receive a communication from Solimine Funeral Homes, 426 Broadway, Lynn, regarding Veterans Memorial Service; Saturday, November 3, 2018. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P714-18 COUNCILLOR MCGINN – MOVE TO receive and approve the following Taxi/Limousine Driver's License, subject to all papers being in order:

Michael Vitale – License 35
 Joseph O'Brien – License 36
 James Knight – License 37
 Louis Anasoulis – License 38
 (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:20 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, OCTOBER 2, 2018

RETURNED BY HIS HONOR THE MAYOR, OCTOBER 2, 2018

ATTEST



(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Transfer of funds – CPC Administration; \$10,000.00

His Honor the Mayor re: Transfers of funds – CPC Various Transfers

His Honor the Mayor re: Transfers of funds – CPC Various Projects

Jennifer Davis, Dir., Park Dept., re: Council Motions: P598-18, P600-18

Barbara Previte, Peabody Municipal Light Plant, re: Streetlight at 5 Dartmouth Road

Colton Buckley Foundation, re: Fifth Annual Colton Buckley 5K Road Race; November 11, 2018

Solimine Funeral Homes, 426 Broadway, Lynn, re: Veterans Memorial Service; Saturday, November 3, 2018

Edward Elibero, 902 Foxwood Circle, re: Dogs in Oak Grove Cemetery

Francisco Burgos, 25 Farm Avenue, re: Request to continue public hearing until October 25, 2018

Timothy E. Spanos, City Clerk, re: Election Warrant for November 6, 2018

TAXI/LIMOUSINE DRIVER'S LICENSE:

Michael Vitale – License 35

Joseph O'Brien – License 36

James Knight – License 37

Louis Anasoulis – License 38